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RUEHBJ/AMEMBASSY BEIJING PRIORITY 1738
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RUEHIT/AMCONSUL ISTANBUL PRIORITY 2174
RUEHGV/USMISSION GENEVA PRIORITY 1425
RUEHVEN/USMISSION USOSCE PRIORITY 2612
RUCNDT/USMISSION USUN NEW YORK PRIORITY 0790
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RHEHNSC/NSC WASHDC PRIORITY
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C O N F I D E N T I A L SECTION 01 OF 02 ASHGABAT 000780

SIPDIS

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SUBJECT: TURKMENISTAN: RELATIVE OF OVERSEAS OPPOSITION
LEADER SEEKS INTERNATIONAL ASSISTANCE TO OVERCOME TRAVEL BAN

REF: 07 ASHGABAT 1377

Classified By: CDA RICHARD E. HOAGLAND: 1.4 (B), (D).

11. (C) SUMMARY: Allowed to depart Turkmenistan for heart surgery in Moscow in May 2007, Ovez Annayev, brother-in-law of exile opposition leader and former Central Bank Chairman Khudaiberdy Orazov, is not being allowed to return to Moscow following a short trip home earlier this month to see his wife and younger daughter, who have not been allowed to depart Turkmenistan (reftel). Annayev has been seeking through legal means to overcome the government's travel ban on him and his family for several years, but has run out of legal options in Turkmenistan. Annayev says he needs to return to Moscow as soon as possible for follow-up treatment for his heart condition, and is seeking assistance -- in the form of intervention -- from the international community. His unfortunate decision to return to Turkmenistan, however, may in part have been encouraged by misinformation circulated among international human rights activists. END SUMMARY.

12. (C) Poloff met June 17 with Ovez Annayev, the husband of Svetlana Orazova, sister of former Turkmen Central Bank Chairman and exile opposition leader Khudaiberdy Orazov. Annayev went to Moscow in May 2007 to undergo treatment and surgery for a heart ailment after having been refused treatment in 2006 at an Ashgabat cardiology center because he was Orazov's brother in-law. Since returning to Ashgabat in early June 2008 for a brief visit with his family, however, he has not been allowed to return to Moscow.

ANNAYEV'S STORY

13. (C) According to Annayev, he first learned that the government would not allow his family to travel abroad in late summer 2006, when his older daughter was barred from returning to her university studies in Beijing after summer vacation and he was prevented from traveling to Russia. He said he filed a law suit on his own case, challenging the government to provide information regarding what laws support the ban on his family's travel, and the reasons such a ban had been imposed. (NOTE: The OSCE Center in Ashgabat assisted Annayev to file the law suit and advised the family

throughout the legal process. END NOTE.) Through a series of legal inquiries from district court up through the Supreme Court, Annayev eventually received a written response from the Procurator General's office upholding the ban on his family's travel, based on statements provided by the MVD and the MNB. (NOTE: The document provided no information regarding the content of the statements. END NOTE.) In February 2007, he was invited to meet with a deputy district representative of the MNB, who expressed his displeasure with Annayev's suit. Nonetheless, after this meeting, the authorities permitted his daughter to return to Beijing, and him to travel to Moscow for medical treatment in April and May 2007 respectively.

14. (C) In November 2007, thinking that the ban had been lifted on the family, Svetlana Orazova and a young daughter attempted to travel to Moscow to visit Annayev, who was recuperating from heart surgery. They were, however, prevented from departing (reftel). In early June 2008, Ms. Orazova met with OSCE Chairman-in-Office Alexander Stubb, who subsequently asked Deputy Prime Minister/Foreign Minister Rashid Meredov to lift the ban on Ms. Orazova's travel during an official meeting on June 5. According to OSCE Centre Human Dimension Officer Benjamin Moreau, Meredov offered no commitment to the Chairman regarding the case. However, Moreau said, several international human rights organizations sent him congratulations regarding the resolution of Ms. Orazova's case following the Chairman's meeting with Meredov, having either misunderstood or received misinformation regarding the outcome of the discussion with Meredov. He had

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had to respond to their notes, informing them that he had no information that the case had been resolved.

15. (C) Mistakenly believing that Meredov had agreed to lift the restriction on Orazova, and further interpreting it as a sign that the issue had been resolved for the whole family, Annayev flew back to Turkmenistan in early June 2008. He said that, as immigration authorities studied his passport at great length, he realized the travel restriction on his family was still in place. Two days after returning to the country, he made a formal request at the immigration service for information on the status and origin of the family's travel ban. He had intended only to visit his family for a short time, and was to have returned to Moscow on June 15. The immigration service responded to his query on June 14, providing no information other than to confirm that a ban was still in place for the family.

16. (C) On June 14, Annayev also sent a telegram to the same deputy district MNB representative he had met with before, formally requesting permission to travel. The official met with him, and verbally assured him that he would be allowed to travel abroad. On June 15, however, Annayev was pulled from his Moscow flight. Upon another inquiry, the immigration service confirmed that there was a ban on his travel, and that it had been imposed by law enforcement authorities. Since then, he sent a certified letter to Meredov seeking permission to travel, and said the OSCE Center in Ashgabat had sent a diplomatic note to the MFA regarding his case. He also instructed his older daughter to postpone her travel back to Turkmenistan, fearing that if she returns, she might once again be barred from returning to her studies in Beijing.

17. (C) Annayev indicated that he has exhausted all possible legal options for challenging the government's authority to impose the travel ban on him and his family, although OSCE legal advisors have assured him that Turkmen law does not support the travel ban on the family, and Annayev denies having any criminal history. He shared all of his legal documents, including government responses, with Post. His primary purpose in turning to the U.S. Embassy was to seek advice in making contact with international legal authorities or the UN Commission on Human Rights, in order to challenge

the government's ban on his family's travel on an international level. He indicated that his heart condition could worsen again if he does not return to Moscow soon.

¶18. (C) OSCE Officer Moreau said Chairman-in-Office Alex Stubb sent a letter to President Berdimuhamedov the week of June 16, reminding him of the case and of OSCE's concern. He said the OSCE Center in Ashgabat also sent a letter this week to express its concern to the government regarding Annayev's case as well.

¶19. (C) COMMENT: While the government's travel ban on Annayev's family, its temporary lifting, and re-imposition suggests there may have been some internal indecision and contradiction about the case, someone in power seems to believe that the travel ban should be maintained on the family. It is anyone's guess as to how international human rights organizations came to believe that Meredov had promised to resolve Ms. Orazova's case, but the misinformation has not helped Annayev's current situation.
END COMMENT.
HOAGLAND